

Notice of Allowability

Application No.

10/629,451

Applicant(s)

BERGER ET AL.

Examiner

Art Unit

Fred Tzeng

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/3/2006.
2. ☒ The allowed claim(s) is/are 1-19, 21-23 which are now renumbered as 1-22.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____

DETAILED ACTION

1. This office action is in response to the amendments filed on March 27, 2006 and June 03, 2006.
2. The drawing objection to figure 1 is withdrawn due to the amendment filed on March 27, 2006.

Allowable Subject Matter

3. The following is an examiner's statement of reasons for allowance:

Claims 1-3 are allowable over the prior art of record because none of the prior art of record teaches or fairly suggests a metal bar for pressing against a spindle for braking the spindle at a predetermined position and not allowing a swing back, wherein the spindle is configured for mounting a storage disk on the spindle.

Claims 4-16 are allowable over the prior art of record because none of the prior art of record teaches or fairly suggests a flexible spring shaped as a bar adapted for pressing against a spindle for braking the spindle at a predetermined position and not allowing a swing back, wherein the spindle is configured for mounting a storage disk on the spindle.

Claim 17 is allowable over the prior art of record because none of the prior art of record teaches or fairly suggests a flexible spring shaped as a bar adapted for pressing against a spindle for braking the spindle at a predetermined position and not allowing a

swing back, wherein the spindle is configured for mounting an optical filter on the spindle.

Claim 18 is allowable over the prior art of record because none of the prior art of record teaches or fairly suggests a flexible spring shaped as a bar adapted for pressing against a spindle for braking the spindle at a predetermined position and not allowing a swing back, wherein the spindle is configured for mounting a lens on the spindle.

Claim 19 is allowable over the prior art of record because none of the prior art of record teaches or fairly suggests a flexible spring shaped as a bar adapted for pressing against a spindle for braking the spindle at a predetermined position and not allowing a swing back, wherein the spindle is configured for mounting a mirror on the spindle.

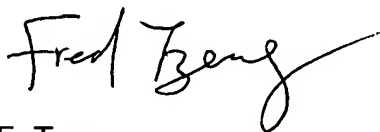
Claims 21-23 which are now renumbered as 20-22 are allowable over the prior art of record because none of the prior art of record teaches or fairly suggests a method for using an amount of electrical current of a relay to press a flexible spring shaped as a bar against a spindle using a predetermined friction force, rotating the spindle towards a predefined angular position, stopping a stepper motor at a predefined encoder signal pulse number $P(in-x)$ so that a static position of the spindle is achieved between two encoder signal pulses, rotating the spindle stepwise until an encoder signal pulse $P(in-1)$ is reached, moving the spindle to the encoder signal pulse $P(in)$, counting the number of steps necessary to move the spindle from the signal pulse $P(in-1)$ to the signal pulse $P(in)$, and based on the number of steps counted, calculating the number of steps necessary to move the spindle to the predefined angular position.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication from the examiner should be directed to Fred Tzeng whose telephone number is 571-272-7565. The examiner can normally be reached on weekdays from 9:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Thi Nguyen can be reached on 571-272-7579. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-7565 for After Final communications.

6. Informal regarding the status of an application may be obtained from the Patent Application Information Retrieval (**PAIR**) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Fred F. Tzeng

June 09, 2006